IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVN.APPLN.NO.508 OF 2006
WITH
CRIMINAL REVN.APPLN.NO.509 OF 2006

Rajanikant H.Doshi ..Applicant

Vs.

State of Maharashtra & Anr. ..Respondents

...

Mr.K.R.Tiwari advocate for applicant
Mr.Rajesh More A.P.P. for the State in
Cri.Application No. 508 of 2006
Mr.K.V.Saste A.P.P. for State in
Cri.Application No. 509 of 2006
Mr.Prashant Chande advocate for the
respondent no.2

...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : APRIL 27, 2007

P.C.

1. Heard the learned advocate for the applicant-original accused, the learned A.P.Ps. for the State and the learned advocate for the respondent no.2-original complainant.

2. The applicant has been convicted under Section 138 of the Negotiable Instruments Act by the learned Metropolitan Magistrate, 23rd Court, Esplanade Mumbai in C.C.No. 2188/SS/2004 and 2189/SS/2004. In Cri.Application No.508 of 2006,

cheque amount of Rs.2.41 lakhs is involved and in Cri.Application No.509 of 2006, cheque amount of Rs.3,00,801/- is involved. Appeals preferred by the applicant came to be dismissed. Being aggrieved thereby, these revision applications are preferred

3. During the pendency of these matters before this Court, the parties have arrived at settlement and both the learned counsel for the applicant and respondent no.2 have agreed to the following order:

I) The applicant shall pay to the Respondent no.2 a sum of Rs.1,50,000/- on or before 12.5.2007.

II) The applicant has today itself handed over a cheque bearing No.947811 dated 12.5.2007 for Rs.1,50,000/- drawn on The Jammu and Kashmir Bank Ltd. Jangid House, Mira Road (E), Thane Branch to the Respondent No.2;

III) The sum of Rs.3,41,000/- deposited by the applicant in the Sessions Court at

Mumbai in Appeal No. 14 of 2006 in the following manner, be paid over to the Respondent no.2 forthwith:

(a) Rs.87,500/- on 20.4.2006;
(b) Rs.50,000/- on 12.1.2007;
(c) Rs.1,03,000/- on 27.2.2007;
(d) Rs.1,00,500/- on 5.3.2007;

IV) The sum of Rs.3,00,801/- deposited by the applicant in the Sessions Court at Mumbai in Appeal No.15 of 2006 in the following manner, be paid to the Respondent No.2 forthwith:

(a) Rs.87,500/- on 20.4.2006;
(b) Rs.50,000/- on 19.1.2007;
(c) Rs.1,63,301/- on 18.2.2007;

(V) On the payment being made by the applicant to the Respondent no.2 on or before 12.5.2007 as mentioned in clause (I) hereinabove, and on the payments of the amount deposited by the applicant in the Sessions Court to the Respondent

no.2 the offence being the subject matter of the Revision Applications, be compounded.

(VI) Revision Applications disposed of accordingly.

[Smt.V.K.Tahilramani, J.]